

Message Text

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20

ORIGIN FAA-00

INFO OCT-01 AF-06 EUR-12 EA-09 NEA-10 ISO-00 CAB-05

CIAE-00 COME-00 DODE-00 DOTE-00 EB-07 INR-07 NSAE-00

L-03 SS-15 NSC-05 H-02 /082 R

DRAFTED BY FAA: E.L. JETT AIA-130:GL

APPROVED BY EB/OA/AVP:AJWHITE

EB/OA/AVP:JKGORDON

EA/IMS:KENNEY

NEA/PAB:MGJONES

NEA/ARP:JPLYLE

NEA/IRN:RWBEALES

NEA/AFN:WWEISLOGEL

NEA/ARN:TJCAROLAN

----- 108597

R 200007Z DEC 75

FM SECSTATE WASHDC

TO AMEMBASSY ABU DHABI

AMEMBASSY ADDIS ABABA

AMEMBASSY ALGIERS

AMEMBASSY AMMAN

AMEMBASSY CAIRO

AMEMBASSY COLOMBO

AMEMBASSY DACCA

AMEMBASSY DAMASCUS

AMEMBASSY DOHA

AMEMBASSY JAKARTA

AMEMBASSY JIDDA

AMEMBASSY KABUL

AMEMBASSY KHARTOUM

AMEMBASSY KUWAIT

AMEMBASSY ISLAMABAD

AMEMBASSY MANAMA

AMEMBASSY MUSCAT

AMEMBASSY NOUAKCHOTT

AMEMBASSY RABAT

AMEMBASSY SANA

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AMEMBASSY TEHRAN

AMEMBASSY TRIPOLI
AMEMBASSY TUNIS
AMEMBASSY BAMAKO
AMEMBASSY DACCA
AMEMBASSY NEW DELHI
AMEMBASSY KUALA LUMPUR
INFO AMEMBASSY BRUSSELS
AMCONSUL FRANKFURT
AMEMBASSY ROME
AMCONSUL CASABLANCA

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PASS AS APPROPRIATE KUWAIT PASS BAGHDAD

E.O. 11652: N/A

TAGS: EAIR, ASAF, XX

SUBJECT: HADJ OPERATIONS OF LARGE U.S.-REGISTERED AIRCRAFT
BY NON-FAA CERTIFICATED OPERATORS

1. FAA ADVISES THAT CERTAIN LARGE (MORE THAN 12,500 LBS)
U.S.-REGISTERED AIRCRAFT MAY BE USED IN HADJ FLIGHTS BY
COMPANIES THAT ARE NOT FAA-CERTIFICATED AS AIR CARRIERS
OR COMMERCIAL OPERATORS. SUCH AIRCRAFT ARE OFTEN PLACED
UNDER LEASE OR CONTRACT TO FOREIGN AIR CARRIERS, ORGANI-
ZATIONS OR GROUPS, OR MAY BE OPERATED BY THE NON-FAA-
CERTIFICATED U.S. COMPANY ON ITS OWN.

2. FLIGHTS CONDUCTED BY NON-FAA-CERTIFICATED
OPERATORS BETWEEN 2 POINTS OUTSIDE THE U.S. MAY NOT COMPLY
WITH STRINGENT SAFETY REQUIREMENTS APPLICABLE TO FAA-
CERTIFICATED AIR CARRIERS OR TO COMMERCIAL OPERATORS
CONDUCTING FLIGHTS UNDER (FEDERAL AVIATION REGULATIONS
(14 CFR)) FAR PART 121, CONCERNING AIRCRAFT CONTINUED-
AIRWORTHINESS, AIRCREW QUALIFICATIONS, TRAINING, AND
OPERATING STANDARDS. FAR PART 121 PROHIBITS OPERATION OF
AIRCRAFT OF MORE THAN 12,500 LBS MAXIMUM CERTIFICATED
TAKE-OFF WEIGHT, IN AIR COMMERCE IN CONNECTION WITH
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CARRIAGE OF PASSENGERS OR GOODS FOR COMPENSATION OR
HIRE, UNLESS CERTIFICATED BY FAA.

3. NON-FAA-CERTIFICATED OPERATORS ARE SUBJECT TO LESS
DEMANDING REQUIREMENTS OF GENERAL OPERATING AND FLIGHT
RULES OF FAR PART 91 AND TO MAINTENANCE REQUIREMENTS
OF FAR PART 43. AS HADJ FLIGHTS OCCUR IN AREAS FAR

REMOVED FROM ROUTINE FAA SURVEILLANCE, IT IS DIFFICULT FOR FAA TO DETERMINE THAT SUCH OPERATIONS EVEN COMPLY WITH THESE MINIMAL SAFETY REQUIREMENTS. MOREOVER, FAA CONSIDERS THAT OPERATIONS BY SUCH COMPANIES MAY BE OF QUESTIONABLE LEGALITY AND MAY NOT BE AS SAFE AND RELIABLE AS THOSE CONDUCTED BY FAA-CERTIFICATED AIR CARRIERS OR COMMERCIAL OPERATORS.

4. FAA HAS RECOGNIZED NEED FOR, AND IS INSTIGATING AN AFFIRMATIVE APPROACH TO PROBLEMS THAT MAY ENSUE FROM OPERATIONS BY SUCH NON-FAA-CERTIFICATED OPERATORS WHO MAY BE ENGAGED IN UNLAWFUL COMMON CARRIAGE OF PASSENGERS

OR CARGO FOR COMPENSATION OR HIRE. SOME NON-FAA-CERTIFICATED OPERATORS EMPLOY SUBTERFUGE AND VARIOUS OTHER DEVICES TO CONMUSE PUBLIC AND FAA BY ENDEAVORING TO MAKE THEIR OPERATIONS APPEAR LEGITIMATE WHEN IN FACT THEY CONSTITUTE COMMERCIAL OPERATIONS FOR COMPENSATION OR HIRE AND REQUIRE FAA CERTIFICATION.

5. FAA IS MOST INTERESTED IN LEARNING OF SUCH OPERATIONS SO THAT IT CAN INVESTIGATE POSSIBLE UNLAWFUL OR UNSAFE FLIGHT ACTIVITIES IF REPORTED CIRCUMSTANCES WARRANT IT. THEREFORE, SHOULD POSTS LEARN OF HADJ OPERATIONS BY UNFAMILIAR AIRLINES OR OPERATORS USING LARGE U.S.-REGISTERED AIRCRAFT, IT WOULD BE HELPFUL TO FAA IF ALL AVAILABLE FACTS CONCERNING SUCH OPERATIONS COULD BE OBTAINED. EMBASSIES MAY IN THEIR DISCRETION DISCUSS SUBSTANCE OF THIS MESSAGE WITH APPROPRIATE LOCAL AUTHORITIES AND ELICIT THEIR COOPERATION. DETAILED INFORMATION SUCH AS NAME AND ADDRESS OF OPERATOR, US REGISTRATION NUMBER, MANUFACTURER AND MODEL OF AIRCRAFT, CHARTERER OR LESSEE, LESSOR, POINTS AND DATES OF ORIGIN
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AND TERMINATION OF FLIGHTS, ETC., SHOULD BE CABLED ATTN FAA, TO AMEMBASSY LAGOS, AMEMBASSY BRUSSELS, ANCONSUL FRANKFURT AND FAA/WASHDC. KISSINGER

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Message Attributes

Automatic Decaptioning: X
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Disposition Approved on Date:
Disposition Authority: n/a
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Margaret P. Grafeld
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06 JUL 2006

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TAGS: EAIR, ASAF, XX, FAA
To: ABU DHABI MULTIPLE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006